

Control Devices

302.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

302.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the Columbia Heights Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

302.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

Only officers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

302.4 RESPONSIBILITIES

302.4.1 SHIFT SERGEANT RESPONSIBILITIES

The Shift Sergeant may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

302.4.2 FIREARMS INSTRUCTOR RESPONSIBILITIES

The Firearms Instructor shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the Firearms Instructor or the designated instructor for a particular control device. The inspection shall be documented.

302.4.3 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

Columbia Heights Police Department

Policy Manual

Control Devices

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Firearms Instructor for disposition. Damage to City property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

302.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys, and groin should not be intentionally targeted except when the officer reasonably believes the use of deadly force is appropriate. See the Use of Force Policy for additional guidance.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

302.6 TEAR GAS GUIDELINES

Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Shift Sergeant, Incident Commander or Crisis Response Unit Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

302.7 REPULS CHEMICAL IRRITANT/DEFENSE SPRAY

REPULS is a chemical irritant spray. It is biodegradable, non-flammable, non-toxic and water soluble. Ingredients: Ammonium Propionate and Propionic Acid. Nitrogen is the propellant.

REPULS has a blue dye and smells like vinegar after deployment. Officers should stand-off from a minimum distance of three feet when deploying to avoid damaging eyes due to the pressure of the propellant. Peace officers shall not directly spray REPULS into an individual's eyes from inches away (close range).

Maximum distances vary depending on the size of the canister but is generally 17 to 20 feet. Primary location to deploy REPULS is at the individual's forehead and eyes. A three second burst should be adequate.

REPULS causes the eyes to involuntarily close almost immediately. REPULS is a lacrimator which irritates the lacrimal gland in the eye.

Officers may approach the sprayed individual quickly without impact of the chemical irritant and gain control of the situation before it escalates.

Columbia Heights Police Department

Policy Manual

Control Devices

302.7.1 TREATMENT FOR REPULS EXPOSURE

After deploying REPULS, officers will remove the individual to fresh air and rinse the individuals face and eyes with clean water. The water will mitigate the irritation within seconds. REPULS is not known to react negatively with contact lenses. Relief is almost immediate when water is applied to the face and eyes. Officers should seek medical attention if the individual requests it or if symptoms persist beyond 30 minutes.

REPULS can also irritate mucus membranes causing sinuses to run and gives a slight burning sensation on the skin. Decontamination is very fast with no lingering effects. When REPULS dries the irritating agent is no longer active.

Any over spray can be washed down a drain or cleaned with a wet towel. Fresh air will clear out any spray lingering in an enclosed area.

302.8 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, oleoresin capsicum (OC) spray and pepper projectiles may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. Pepper projectiles and OC spray should not be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

302.8.1 CHEMICAL SPRAY (OC)

Uniformed personnel carrying OC spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

302.8.2 PEPPER PROJECTILE SYSTEMS

Pepper projectiles are plastic spheres that are filled with a derivative of OC powder. Because the compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact and release the OC powder, the potential exists for the projectiles to inflict injury if they strike the head, neck, spine, or groin. Therefore, personnel deploying a pepper projectile system should not intentionally target those areas, except when the officer reasonably believes the use of deadly force is appropriate. See the Use of Force Policy for additional guidance.

Officers encountering a situation that warrants the use of a pepper projectile system shall notify a supervisor as soon as practicable. A supervisor shall respond to all pepper projectile system incidents where the suspect has been hit or exposed to the chemical agent. The supervisor shall ensure that all notifications and reports are completed as required by the Use of Force Policy.

Each deployment of a pepper projectile system shall be documented. This includes situations where the launcher was directed toward the suspect, whether or not the launcher was used. Unintentional discharges shall be promptly reported to a supervisor and documented on the appropriate report form. Only non-incident use of a pepper projectile system, such as training and product demonstrations, is exempt from the reporting requirement.

Columbia Heights Police Department

Policy Manual

Control Devices

302.8.3 TREATMENT FOR OC SPRAY EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas and fresh air. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

302.9 POST-APPLICATION NOTICE

Whenever tear gas or OC has been introduced into a residence, building interior, vehicle, or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that cleanup will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in related reports.

302.10 KINETIC ENERGY PROJECTILE GUIDELINES

This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

302.10.1 DEPLOYMENT AND USE

Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

- (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm him/herself or others.
- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

302.10.2 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the officer should consider such factors as:

- (a) Distance and angle to target.
- (b) Type of munitions employed.

Columbia Heights Police Department

Policy Manual

Control Devices

- (c) Type and thickness of subject's clothing.
- (d) The subject's proximity to others.
- (e) The location of the subject.
- (f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the use of deadly force is appropriate. See the Use of Force Policy for additional guidance.

302.10.3 SAFETY PROCEDURES

Shotguns specifically designated for use with kinetic energy projectiles will be specially marked in a manner that makes them readily identifiable as such.

Officers will inspect the shotgun at the beginning of each shift to ensure that the shotgun is in proper working order.

Shotguns shall only be loaded by sergeants or firearms instructors with department purchased less lethal ammunition. Once loaded, blue tape shall be wrapped around the pump action forearm and initialed to ensure the magazine is loaded with less lethal and the chamber is empty.

As part of the daily squad check, officers shall inspect the 12-gauge shotgun and make sure that the tape seal has not been broken and the shotgun has not been tampered with. If the seal has been broken the officer shall report it to their supervisor as soon as possible.

Officers will be trained on how to load and unload the shotgun and recognize less lethal ammunition in case the shotgun needs to be deployed when the tape seal is broken.

302.10.4 MEDICAL TREATMENT

Suspects who are struck by a kinetic energy projectile shall be offered prompt medical treatment or examination by trained medical personnel, on scene and treated at a medical facility before being

Columbia Heights Police Department

Policy Manual

Control Devices

transported to jail. This practice shall be followed even if the subject refuses medical treatment, or if the injuries appear minor.

302.11 REMOTE RESTRAIN DEVICE

The BolaWrap™ 100 device is intended to immobilize and control resistive and non-compliant persons. The BolaWrap™ 100 is a hand-held remote restraint device that discharges an eight-foot bola style Kevlar tether to entangle an individual at a range of 10-25 feet.

302.11.1 GENERAL PROCEDURES

The BolaWrap™ 100 device should be treated as always loaded.

Uniformed peace officers who have been issued the BolaWrap™ 100 device may use an approved holster on their person, or the device shall be stored in an approved case in their patrol vehicle. The peace officer may transfer the BolaWrap™ 100 device to their person or pocket when necessary prior to deployment.

Peace officers should not aim both a firearm and the BolaWrap™ 100 device at an individual at the same time to prevent accidental discharge of a firearm.

The aiming of laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The device shall be held level and horizontally directed at the subject. The device shall not be aimed in a vertical configuration. This can cause the pellets to strike the subject, causing possible injury.

302.11.2 DEPLOYMENT CONSIDERATIONS

Circumstances appropriate for deployment include, but are not limited to, situations in which:

- a) The subject is non-compliant and passively or actively resisting.
- b) The subject is violent, or is assaultive, or armed.
- c) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.

302.12 TRAINING FOR CONTROL DEVICES

The Captain shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary. Officers will receive training on the use of issued control devices and this policy, including the learning objectives as provided by POST, at least annually (Minn. Stat. § 626.8452, Subd. 3).

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the officer's training file.

Columbia Heights Police Department

Policy Manual

Control Devices

- (c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

302.13 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy. Less lethal rounds and expended Bolawrap cartridges shall be retained as evidence. Expended rounds shall be collected at the scene, and property inventoried